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May 25, 2022

Via ECF

Hon. Analisa Torres
United States District Judge
United States District Court
500 Pearl Street
New York, NY 10007

Re: Pascual Reyes et al v. Coppola's Tuscan Grill LLC
Et al.; Case No. 21-cv-7040

Your Honor:

This office represents Plaintiffs in the above-referenced matter. We write in response to the Court's order of May 19, 2022 to indicate why service of default motion papers on Salvatore Coppola, Mariano Ouapa, and Luis Mendiapa at Coppola's Tuscan Grill was proper.

The reason a certificate of service was filed on May 13, 2022, was that while this office complied with the Court's order that the default motion papers be hand served, the process server that was engaged to do so had not yet completed affidavits of service. They had, however, confirmed via email that the papers were served at the Defendants' place of business, and this confirmation was attached to said certificate of service. The affidavits were filed as soon as they were received.

As to whether Coppola's Tuscan Grill remains the individual Defendants' actual place of business under CPLR 308(2), Coppola is the owner of Coppola's Tuscan Grill. The restaurant's website holds him out as such, a copy of their "about" section as annexed hereto. As to Messrs. Ouapa and Mendiapa, Mr. Reyes, a former employee, states that both Mariano Ouapa and Luis Mendiapa had been employees of Coppola's Tuscan Grill for more than ten years when he worked there. Mr. Reyes additionally works close by Coppola's, delivering food for Doordash, and has personally observed them entering and leaving the restaurant regularly as recently as this week. Mr. Reyes is further in contact with former coworkers at Coppola's Tuscan Grill who have confirmed that Messrs. Coppola, Ouapa, and Mendiapa continue to be employed there.

We thank the Court for its time and attention to this matter.

Respectfully Submitted,

/s/ Clela Errington
Clela Errington, Esq.